

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY

DOCUMENT

ELECTRONICALLY FILED

DOC #:

DATE FILED: JAN 22 2016

Kelly Price

(List the full name(s) of the plaintiff(s)/petitioner(s).)

15 cv 05871 ()

-against-

NOTICE OF APPEAL

Def Linda Simmons, ADA Maria Strohbehn, ADA Kenya Wells, DA Audrey Moore
ADA Christina Maloney, DA Cyrus Vance Jr., Audrey Moore, Inspector Obe, Rose Mervin-
Louis, ADA Patricia Bailey, ADA Susan Rodde
(List the full name(s) of the defendant(s)/respondent(s).)
ADA LARRY New-man, ADA Laura Higgins nee Richendorfer, City of New York

Notice is hereby given that the following parties:

Kelly Price

(list the names of all parties who are filing an appeal)

in the above-named case appeal to the United States Court of Appeals for the Second Circuit

from the

☒ judgment☐ order

entered on:

1/23/2015

(date that judgment or order was entered on docket)

that:

The Case shall be terminated b/c I did not
amend my complaint as ordered b/c court did not see
that I filed my complaint on 7/24/15 NOT 8/13/15
did NOT miss Statute of Limitations

Dated

1/22/16

Signature

Kelly Price

Name (Last, First, MI)

534 W 137th St NY NY 10033

Address

City

State

Zip Code

466 676 1940

Telephone Number

E-mail Address (if available)

glaire G Price Urban
Justice.org

Each party filing the appeal must date and sign the Notice of Appeal and provide his or her mailing address and telephone number, EXCEPT that a signer of a pro se notice of appeal may sign for his or her spouse and minor children if they are parties to the case. Fed. R. App. P. 3(c)(2). Attach additional sheets of paper as necessary.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Kelly Price

15 cv 05871 ()

(List the full name(s) of the plaintiff(s)/petitioner(s).)

-against-

MOTION FOR LEAVE TO
PROCEED IN FORMA
PAUPERIS ON APPEAL

Def Linda Simmons, ADA Maria Strohkahn, ADA Kenya
Wells, Audrey Moore, ADA Christina Maloney, DA Cyrus
Vance Jr., ~~ADA~~ Inspector Obe, Rose Pierre-Louis
ADA Patrick ~~Ball~~, ADA Susan Roque,
ADA Larry Newman, ADA Loretta Higgins New Rochelle City of New York

I move under Federal Rule of Appellate Procedure 24(a)(1) for leave to proceed *in forma*

pauperis on appeal. This motion is supported by the attached affidavit.

1/22/2016

Dated

Kelly Price

Signature

Price, Kelly

Name (Last, First, MI)

534 W 187th

Address

#7 New York, NY 10033

City

State

Zip Code

646 676 1940

Telephone Number

GPrice@UrbanJustice.org

E-mail Address (if available)

Application to Appeal In Forma Pauperis

Kelly Price

v. Linda Simmons
et al

Appeal No. _____

District Court or Agency No. _____

Affidavit in Support of Motion

I swear or affirm under penalty of perjury that, because of my poverty, I cannot prepay the docket fees of my appeal or post a bond for them. I believe I am entitled to redress. I swear or affirm under penalty of perjury under United States laws that my answers on this form are true and correct. (28 U.S.C. § 1746; 18 U.S.C. § 1621.)

Signed: _____

Instructions

Complete all questions in this application and then sign it. Do not leave any blanks: if the answer to a question is "0," "none," or "not applicable (N/A)," write that response. If you need more space to answer a question or to explain your answer, attach a separate sheet of paper identified with your name, your case's docket number, and the question number.

Date: _____

1/22/16

My issues on appeal are: (required):

1. *For both you and your spouse estimate the average amount of money received from each of the following sources during the past 12 months. Adjust any amount that was received weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate. Use gross amounts, that is, amounts before any deductions for taxes or otherwise.*

Income source	Average monthly amount during the past 12 months		Amount expected next month	
	You	Spouse	You	Spouse
Employment	\$	\$	\$	\$
Self-employment	\$	\$	\$	\$
Income from real property (such as rental income)	\$	\$	\$	\$

Interest and dividends	\$	\$	\$	\$
Gifts	\$	\$	\$	\$
Alimony	\$	\$	\$	\$
Child support	\$	\$	\$	\$
Retirement (such as social security, pensions, annuities, insurance)	\$	\$	\$	\$
Disability (such as social security, insurance payments)	\$	\$	\$	\$
Unemployment payments	\$	\$	\$	\$
Public-assistance (such as welfare)	\$ 543 ⁰⁰	\$	\$ 543 ⁵⁰	\$
Other (specify):	\$	\$	\$	\$
Total monthly income:	\$ 0 543 ⁵⁰	\$ 0	\$ 0 543 ⁵⁰	\$ 0

2. List your employment history for the past two years, most recent employer first. (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of employment	Gross monthly pay
Urban Justice Center	40 Redford St	11/14/15 - Present	\$ N/A
INTERN			\$
Mental Health Project (Jail/Section Coalition)			\$

3. List your spouse's employment history for the past two years, most recent employer first. (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of employment	Gross monthly pay
N/A			\$
			\$
			\$

4. How much cash do you and your spouse have? \$ 0

Below, state any money you or your spouse have in bank accounts or in any other financial institution.

Financial Institution	Type of Account	Amount you have	Amount your spouse has
N/A		\$	\$
		\$	\$
		\$	\$

If you are a prisoner seeking to appeal a judgment in a civil action or proceeding, you must attach a statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances during the last six months in your institutional accounts. If you have multiple accounts, perhaps because you have been in multiple institutions, attach one certified statement of each account.

5. List the assets, and their values, which you own or your spouse owns. Do not list clothing and ordinary household furnishings.

Home	Other real estate	Motor vehicle #1
(Value) \$	(Value) \$	(Value) \$
N/A		Make and year:
		Model:
		Registration #:

Motor vehicle #2	Other assets	Other assets
(Value) \$	(Value) \$	(Value) \$
Make and year:	N/A	
Model:		
Registration #:		

6. State every person, business, or organization owing you or your spouse money, and the amount owed.

Person owing you or your spouse money	Amount owed to you	Amount owed to your spouse
N/A	\$	\$
	\$	\$
	\$	\$
	\$	\$

7. State the persons who rely on you or your spouse for support.

Name [or, if a minor (i.e., underage), initials only]	Relationship	Age
Sophie, Pkt Boyer		10

8. Estimate the average monthly expenses of you and your family. Show separately the amounts paid by your spouse. Adjust any payments that are made weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate.

	You	Your Spouse
Rent or home-mortgage payment (including lot rented for mobile home) Are real estate taxes included? <input type="checkbox"/> Yes <input type="checkbox"/> No Is property insurance included? <input type="checkbox"/> Yes <input type="checkbox"/> No	\$ 587 ²	\$
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ 0	\$
Home maintenance (repairs and upkeep)	\$ 0	\$
Food	\$ 400	\$
Clothing	\$ —	\$
Laundry and dry-cleaning	\$ 20	\$
Medical and dental expenses	\$ 0	\$

Transportation (not including motor vehicle payments)	\$ 0	\$
Recreation, entertainment, newspapers, magazines, etc.	\$ 0	\$
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's:	\$ 0	\$
Life:	\$	\$
Health:	\$	\$
Motor vehicle:	\$	\$
Other:	\$	\$
Taxes (not deducted from wages or included in mortgage payments) (specify):	\$	\$
Installment payments		
Motor Vehicle:	\$ 0	\$
Credit card (name):	\$ 0	\$
Department store (name):	\$ 0	\$
Other:	\$ 0	\$
Alimony, maintenance, and support paid to others	\$ 0	\$
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ 0	\$
Other (specify):	\$ 0	\$
Total monthly expenses:	\$ 0	\$ 0

\$ 1007.2

9. Do you expect any major changes to your monthly income or expenses or in your assets or liabilities during the next 12 months?

☒ Yes

☐ No

If yes, describe on an attached sheet.

I have a case vs. Reuters (CV-14-02893) that I hope to settle!

10. Have you spent — or will you be spending — any money for expenses or attorney fees in connection with this lawsuit? ☐ Yes ☒ No

If yes, how much? \$ _____

11. Provide any other information that will help explain why you cannot pay the docket fees for your appeal.

I am destitute. The DA has ruined my life,

12. Identify the city and state of your legal residence.

City New York State New York

Your daytime phone number: 646 676 1940

Your age: 45 Your years of schooling: 26

Last four digits of your social-security number: 0356